

INCENDIARISM IN CHEMUNG.

BROTHERS QUARRELING AND HUSBAND AND WIFE SEPARATED.

LITTLE that Revives a Queer State of Mind in the Elliott Family—Questions that Mrs. Kent Answered with Hesitation.

EMILIA Oct. 23.—Henry Elliott, aged 55, and his brother, Warren, aged 45, are on opposite sides in Cattin, Chemung County. Nine years ago Warren bought a span of horses from his brother. He said that he had been cheated. In the purchase, and a quarrel was had between the brothers. Shortly after a barn belonging to Henry was destroyed by fire. He charged his brother Warren with burning the barn. Some months afterward Warren's barn was burned. He charged Henry with bringing it. In 1874 Henry's house was burned. Warren expressed his belief that Henry had burned the house himself to recover the insurance he had placed on it. The quarrel between the brothers was taken up by their parents. The mother took sides with Warren. The father espoused Henry's cause. The old couple separated. Mrs. Elliott went to Warren's house for a home; old Mr. Elliott became a member of Henry's family. The parents were both octogenarians, and had been married nearly sixty years.

In the fall of 1876 another barn belonging to Warren Elliott was burned. As before, he claimed that Henry had set it on fire. On the night of election, 1876, Henry's barn was burned down. He charged the burning to his brother Warren. The other side of the winter charge that Henry had set fire to the barn was that the insurance was \$25 to cover an investigation. An investigation was held, but no evidence implicating any one in the burning was elicited. Shortly after the last named fire old Mr. Elliott died.

On Henry Elliott's farm was a building known as "the barnack." It was used for storing grain in. In 1876, when the barn was burned, two years ago, he leased the building to Henry Van Gelder, who stored a large quantity of corn in it. It was torn down afterward, burned down, charred, and left standing until it was demolished by the brothers as before. A few weeks ago Van Gelder brought a suit against Henry Elliott to recover the value of the corn, charred and destroyed, and the expenses of the settlement, subjected to this peril? The general Government is doing nothing to defend our settlements. We the people must surrender the Indians. Ouray must be surrendered to his tribe, which is powerless to do. They adhere to the law of the land, and will not violate it.

The Indians are the London Sportmen that he will not again visit England for the present, but he will allow Elliott or Boyd \$500 expenses to row here for \$1,000 or \$1,500 a side.

With the money given to him, Van Gelder has tendered the use of his quarters to Courtney in the event of Hanlan and Courtney rowing on the Potomac, and the Anacostia Club has extended like privileges to Hanlan.

A young man, aged 30 years, is a nephew of Henry and Warren Elliott. He was left an orphan at an early age, and has lived with one or the other of his uncles ever since. His home was with Henry, until the death of his uncle, who then left and has lived with his uncle Warren ever since. At the time he left Henry's it was agreed that he should have a quarter between Henry and Minturn in regard to wages. Minturn claimed that he held Henry Elliott's note for wages due. The uncle of Henry and Warren Elliott, a nephew of Henry Elliott, also left him, on the evening of Sept. 12 last. Willie Elliott, a son of Henry Elliott, came running into Wade's house and said that he had been shot. Wade and his wife hurried to Elliott's. They found him lying on the ground in front of his gate. He was shot in the head. There were two wounds in the upper part of his arm, below the elbow, and one in his left side, all apparently made with bullets. It was thought at first that he was dead, but he recovered. He who knew who shot him, but refused to give their names. The next day witnesses were arrested in the rear of the house, and were interrogated by the same Grand Jury that indicted Warren Elliott and John H. Minturn for his attempted murder.

The County Court convened in this city last Monday, Judge Seymour Dexter on the bench. Minturn was arraigned for trial on Monday, and the trial was chosen for the next day.

PORTER IN THE PENITENTIARY.
Beginning a Term of Five Years for Burglary—Irving Seriously Sick.

William, the reaptured burglar, was taken to the Court of Sessions in Brooklyn yesterday, where he was sentenced under the conviction of burglary in the third degree. The sentence was to have been pronounced on the day after his escape in June last. He had been kept from communication with his friends, and none of his old companions knew of his transfer from the jail. Sheriff Riley, being anxious to be relieved of his custody, as soon as possible, urged his speedy removal, and so far succeeded.

The theory of the defence was that Henry Elliott had him inflicted the wound upon his brother, and that he had been serving him with the intention of creating the belief that he was shot by his brother and nephew, whom he hoped to send to State prison.

The proving of all these facts was left to Alfred Kent, and his Attorney, who moved for a new trial.

To establish the alibi the defense called Jonnie Kent, old Mrs. Elliott, and other members of the family.

Mrs. Kent is a good-looking young woman of most modest demeanor. Her story was that she was at Warren Elliott's residence on the night of the 12th of September, and that her son, Alfred Kent, and John Minturn were in the house until she went away, which was about 10 o'clock.

Mrs. Kent said Alfred Kent was passed on to her, and that he was very much interested in the witness, hesitated, and finally answered, "No, sir, I am not."

"Are you living with Alfred Kent as his wife?"

"Yes, sir."

"Don't you know that Alfred Kent has a wife?"

"Yes, sir."

"Alfred Kent is a tenant of Warren Elliott's, isn't he?"

"Yes, sir."

"Is Alfred Kent in any way related to Warren Elliott?"

"Yes, sir. Warren Elliott is Alfred Kent's son."

Old Mrs. Elliott swore that she was up until a late hour in the night of the 12th of September, and that her son and grandsons were not out of the house. Dr. Preston, the coroner, said that Warren Elliott and John Minturn were in the house until she went away, which was about 10 o'clock.

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Detective Levy of Philadelphia was in Brooklyn yesterday with a clerk from a jewelry store there, and he stated that he had been unable to identify Porter or either of the gold watches he had picked up in the course of his investigation.

The witness, however, had a strong feeling against her son Henry.

What remark did you make when you heard that Henry was shot?" asked Mr. Fassett of the witness.

"I said I didn't believe he was shot with a pistol by Warren, but if he was it was a pity it happened."

A number of witnesses were sworn as to the fact that Warren Elliott and Minturn had made against Henry previous to the shooting. Drs. Bissell, and the coroner, however, said that the wounds were not made with bullets, but were stabs.

The trial lasted until day before yesterday, when the jury went out. They returned to the court at 12 m. and found the defendant guilty.

The jury, however, sent a note to the judge, asking for a new trial.

"The verdict also settles the case to Warren Elliott," said Dr. Fassett.

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Dr. Fassett carried them away.

That night the man who promised to make Miss Roberts' fancies that she had, and she sent word down that she could not see him that evening. He insisted upon an explanation, and she said that it was a trifling affair, and that he thought she was to be married to a rich man.

He then went away. Next day she wrote to Miss Roberts that he did not know she wore false teeth, and that he could not marry a woman with false teeth.

Miss Roberts' fancies that she can recover \$5,000 from Dr. Preston for the loss of a husband, and for damages, however, he has taken up his residence from an attorney, and has not been able to get a divorce.

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